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C O N F I D E N T I A L SECTION 01 OF 02 MOSCOW 000373

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TAGS: PGOV PREL PINR KDEM RS
SUBJECT: MIXED MESSAGES ON ANTI-DEMONSTRATION LAW

Classified By: POL M/C Alice G. Wells. Reasons: 1.4 (b) and (d).

Summary

¶1. (C) On January 24, a United Russia Duma Deputy withdrew amendments to the law on demonstrations that, if adopted, would have significantly restricted the circumstances under which public meetings could occur. The withdrawal seemed to spell the end of an effort by some in the Presidential Administration and in the Duma to ensure that law enforcement bodies have the legal apparatus necessary to keep street action to a minimum in advance of, and after, elections. The tortured history of the amendments, which were submitted, withdrawn, and softened before being re-submitted and again rebuffed, suggested a miscommunication between the Presidential Administration and its governing United Russia party, as well as, possibly, disagreement within the Presidential Administration itself. End Summary.

The Amendments

¶2. (U) On January 19, United Russia, Rodina, and LDPR deputies submitted legislative amendments that proposed banning public demonstrations of any kind in the two weeks before and the two weeks after election day. In addition, at any other point during an election campaign, the amendments would have allowed government authorities to request the courts to prohibit any demonstration where illegal activities might be expected to take place. The amendments also would have prevented those who had been found guilty of extremism from organizing demonstrations. The only Duma faction that did not support the proposal was the Communist Party (KPRF).

Objections all Around

¶3. (U) According to media reports, Deputy Head of the Presidential Administration Vladislav Surkov made a rare trip to the Duma on the day the amendments were initially submitted, where he instructed its authors to "soften" them. The weekend saw a torrent of objection to the amendments, in both print and televised media. Various Duma members announced on January 22 that they had withdrawn their support, while independent deputy Vladimir Ryzhkov argued that the proposed amendments were unconstitutional. Only Movement Against Illegal Immigration (DPNI) Chairman Aleksandr Belov shrugged off the possible ban, noting that the only punishment for violating the new law would be a fine. In the wake of the debate and Surkov's intervention, the first draft was withdrawn.

¶4. (U) On January 23, the legislation was reintroduced in a version that eliminated the provision banning demonstrations in the two weeks preceding and following elections. The milder draft of the law sparked controversy among Duma deputies as well, leading Duma Chairman Boris Gryzlov to announce that he would not support the legislation.

Gryzlov's announcement prompted United Russia Duma Deputy Vladimir Semago to announce on January 24 that the amendments had been withdrawn and would "not be re-introduced in the near future" since the authors could not agree on how to make the legislation palatable to Duma deputies.

Continued Worries About An "Orange Revolution"?

¶5. (SBU) Indem think tank political analyst Yuriy Korgunyuk told us January 25 that the legislation had likely been the work of an overzealous Duma deputy, and guessed that it had run into opposition because the Kremlin's fear of an "Orange Revolution" had passed. Russian Newsweek journalist Mikhail Fishman told us the same day that Kremlin unease at the prospect of a Russian "Orange Revolution" had long since abated. He joined Korgunyuk in positing that the proposal might have been a trial balloon floated, then withdrawn in the face of the absence of a consensus in the Duma. The Center for Political Technology's Aleksey Makarkin was quoted as saying that, in the absence of any political party or other movement popular enough to spark an "Orange Revolution," the legislation may have been aimed at the presidential election; perhaps at former prime minister Mikhail Kasyanov's expected candidacy.

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¶6. (C) "Other Russia's" Garry Kasparov told us January 24 that the law was unnecessary because the Ministry of Interior already had the tools to control public behavior. He surmised that United Russia had learned that President Putin would not sign such a bill and did not want to be associated with public repudiation by the President of a legislative initiative as the Duma election campaign was gathering steam.

A January 25 Kommersant article attributed the final decision to withdraw the second, milder version of the bill to an intervention by Head of the Presidential Administration Sergey Sobyanin. Sobyanin's intervention, Kasparov said, suggested at a minimum that he and his subordinate Surkov were getting contradictory messages from Putin, or that the conflict remained unresolved.

¶7. (SBU) Saying that the amendments had been a surprise to most Duma deputies, KPRF Duma Deputy Svetlana Savitskaya agreed in a January 24 meeting with us that the threat of an "Orange Revolution" was non-existent. Savitskaya alleged that the election results were likely to be falsified in some districts, and saw the amendments as an attempt to give greater control in the face of unrest to the winners of those races.

Comment

¶8. (SBU) The authors' apparent surprise at the negative reaction from some of their colleagues and at the Kremlin's efforts to retract the legislation suggests a disconnect between at least some in the pro-Kremlin United Russia party and the Kremlin. The massive police presence at two meetings staged in autumn 2006 -- the "Russian March" and the "Other Russia" meeting -- may have been taken by the proponents of the legislation as evidence that the Presidential Administration was worried that demonstrations in an election year could spin out of control. Whatever the case, the fate of the anti-demonstration legislation, like the recent stand-off spawned by a bill proposing the relocation of the

Constitutional Court to St. Petersburg, suggests that the minimal spadework necessary to ensure that legislation sails through the legislative process is not being done.

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